IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 19894 of 2000

Between:

Chintalomori Agnikula Kshatriya Field Labour Co-operative Society, Chintalamori,
Rep. by its Kollu Swamulu
S/o Lakshmana Swamy, R/o Chintalamori (Pallilpalem),
Malkipuram Mandal.

..... PETITIONER

AND

1 Revenue Divisional Officer,
Amalapuram E.G.District.
2 Mandal Revenue Officer, Malkipuram Mandal,
E.G.District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus, or any other appropriate writ, order or direction, declaring the proposed impugned action of the respondents in trying to dispossess the members of petitioner society from the schedule land in occupation in respect of R.S.No.693/1, of Chintalamori, H/o Sankaraguptam VillageMalkipuram Mandal, E.G.District, with out considering the representations made by the petitioner society for allotment of the land in the occupation of the members of the petitioner society as illegal, null and void and violative of principles of natural justice and Act.19(1)(g) and 21 of Constitution of India and for and for a consequential order directing the respondents to consider the representation made by the petitioner society herein for allotment of land in favour of the members of the society in respect of the land in their occupation as mentioned above by not dispossession them from their possession in the meantime and to pass such order or orders as this Hon'ble Court may deems fit and proper.

Counsel for the Petitioner: MR.CH.DHANAMJAYA

Counsel for the Respondents: GP FOR REVENUE

The Court at the stage of admission made the following :

ORAL ORDER:

Petitioner is a society registered under the Registration of Societies Act being established in 1927, consisting of 120 members situated in Chintalmori village of Malkipuram Mandal in East Godavari District, and it belongs to weaker sections of the society and landless poor persons who are eking out their livelihood by doing agricultural cooli work. That the petitioners are in occupation of 20 acres of land in Sy. No. 693/1 of the said village for several years without any objection and they have been in peaceful possession and enjoyment of the same by constructing huts and residing therein. That the authorities also granted a temporary permission in the year 1970 to the petitioners to occupy the schedule land. While so, the subordinates of the respondents came to their lands on 15.10.2000 and threatened them to vacate the land stating that they have got instructions from the 1st respondent to evict them, otherwise, deterrent action will be taken against them. On that the petitioner made a representation to the authorities on 14.3.2000 for allotment of the said land to them. But there is no answer from the District Collector. Hence the present writ petition.

Considering the facts and circumstances of the case, though the matter has been pending since 2000, the respondents have not chosen to file any counter.

Under those circumstances, I deem it appropriate to dispose of the writ petition with a direction to the respondents to consider the representation purported to have been made by the petitioners dated 14.3.2000 and pass appropriate orders thereon, in accordance with law. However, pending consideration of the representation, the petitioners shall not be dispossessed from the schedule land.

Accordingly, the writ petition is disposed of. No costs.

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kvsn 22-06-2005

To

1 Revenue Divisional Officer,
Amalapuram E.G.District.
2 Mandal Revenue Officer, Malkipuram Mandal,
E.G.District.

3 Two CCs to GP for Revenue, High Court buildings, Hyderabad.

4 Two CD copies.